

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ARACELY HERNANDEZ,

Petitioner,

Civ. No. 3:20-cv-01792-CL

v.

Order

PAULA MYERS, Superintendent,
Coffee Creek Correctional Facility,

Respondent.

MCSHANE, Judge:

Magistrate Judge Mark Clarke filed a Findings and Recommendation (#24), and the matter is now before this court. *See* 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72. Although neither party filed objections, I reviewed the legal principles *de novo*. *United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th Cir. 1998). I find no error and conclude the report is correct. Magistrate Judge Clarke's Findings and Recommendation (#24) is adopted. The Petition for Writ of Habeas Corpus (#1) is DENIED. Petitioner has not made a substantial showing of the denial of a constitutional right and the Court declines to issue a Certificate of Appealability. *See* 28 U.S.C. § 2253(c)(2).

DATED this 16th day of November, 2021.

/s/ Michael J. McShane
Michael McShane
United States District Judge